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Agency Secretary

Air Resources Board

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Arnold Schwarzenegger
Governor

TO: ALL OFF-HIGHWAY RECREATIONAL VEHICLE MANUFACTURERS
ALL INTERESTED PARTIES

SUBJECT: PUBLIC WORKSHOP TO DISCUSS AMENDMENTS TO THE
OFF-HIGHWAY RECREATIONAL VEHICLE REGULATIONS (OHRV)

The California Air Resources Board (ARB or Board) staff invites you to participate in a public workshop to discuss amendments to the OHRV regulations. The OHRV regulations can be found in title 13, California Code of Regulations, sections 2410-2415. Later this year, staff plans to propose to the Board interim evaporative standards for off-road motorcycles (ORMs) and all-terrain vehicles (ATVs), which will include permeation standards for fuel tanks and fuel hoses. Staff shall also propose minor changes to the riding seasons (section 2415) that reflect current air quality data and make the riding season dates more uniform by location.

Background

California has had a longstanding off-highway vehicle program, which supports the off-highway enthusiast community and is funded, in part, by registration fees. Statewide, approximately 100 riding areas on public lands have been designated for ORM and ATV use. In January 1994, the Board approved the OHRV regulations, which contained exhaust emission standards for ORMs and ATVs. Once implemented, only emission-compliant ORMs and ATVs were eligible for off-highway registration, commonly known as the "Green Sticker." Noncompliant ORMs and ATVs were still allowed to be sold in California, but it was anticipated that their use would be limited to closed course racing events.

The OHRV regulations were amended in 1998, in response to concerns about product availability. Specifically, the numbers of emission-compliant models were lower than originally anticipated, which would have had an unintended and negative impact on dealers. To remedy this situation, the amendments established a new form of registration for which the noncompliant 1998 and subsequent model year ORMs and ATVs were eligible, known as the "Red Sticker." Also established were riding seasons for these noncompliant ORMs and ATVs, which specified when these vehicles could operate; namely, when ozone levels did not exceed ambient air standards.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

In 2003, the OHRV regulations were amended a second time. Because there had been errors made when OHV registrations were issued (e.g., Green Sticker registration issued to noncompliant vehicles), enforcing the riding seasons became problematic. After the problems causing the registration errors had been corrected, the OHRV regulations were then amended to move forward the Red Sticker registration requirement for noncompliant vehicles from 1998 to the 2003 model year and subsequent.

Initially, only California had emission standards for ORMs and ATVs. It wasn't until November 2002, that the United States Environmental Protection Agency (U.S. EPA) promulgated regulations for these vehicles in their Nonroad Recreational Vehicles and Engines rulemaking. This rulemaking included exhaust and evaporative standards for ORMs and ATVs. The exhaust standards are phased-in over the 2006 to 2007 time frame. The evaporative standards will be fully implemented in 2008.

Staff Proposal

Following the U.S. EPA rulemaking, industry contacted ARB staff requesting harmonization with certain and/or all parts of the federal regulations for ORMs and ATVs. At the workshop, ARB staff will present an overview of the prominent regulatory issues as they are currently understood, and some of the options available for addressing them. The primary issues are:

I. Evaporative Standards

Currently, the OHRV regulations do not contain evaporative emission standards. At this time, ARB is developing a staff proposal, more stringent than federal standards, to control additional evaporative emissions from the category. At the workshop, staff will present an overview of ARB's efforts to develop new evaporative emission standards. A formal staff proposal is scheduled to be presented to the Board in 2008. In the interim, ARB staff plans to propose harmonizing with the federal standards and test procedures for permeation of fuel tanks and fuel hoses on ORMs and ATVs. The standards, which will be implemented in 2008, are:

- Fuel Tanks: 1.5 grams per square-meter per day
- Fuel Hoses: 15.0 grams per square-meter per day

II. Exhaust Standards

The federal regulations have one set of standards for ORMs and another set of standards for ATVs; whereas California has one set of standards for both. The tables below compare them:

Table 1. ORM Standards
(grams per kilometer)

	HC	HC+NO _x	CO
California	1.2	—	15.0
Federal	—	2.0	25.0

Table 2. ATV Standards
(grams per kilometer)

	HC	HC+NO _x	CO
California	1.2	—	15.0
Federal	—	1.5	35.0

- The OHRV regulations contain exhaust standards for hydrocarbon (HC) and carbon monoxide (CO) emissions. The federal regulations differ: oxides of nitrogen (NO_x) emissions are added to the HC emissions, resulting in a HC+NO_x standard. The federal standards for CO emissions are less stringent than California's. Because the federal standards are less stringent, staff is reluctant to consider harmonizing.
- Additionally, the federal regulation also differs with its provisions for the certification of ORMs with engine displacements less than 70 cubic centimeters (cc) and ATVs with engine displacements less than 100 cc. The standards for these classes of vehicles are even less stringent. The effect of harmonization would result in less emission reductions for California.

Table 3. Federal Standards for Small Displacement OHRV Engines
(grams per kilowatt-hour)

Vehicle Type / Displacement	HC	HC+NO _x	CO
ORMs: ≤ 70 cc	—	16.1	519
ATVs: ≤ 99 cc		25.0	500

- Both the California and the federal regulations allow an optional “engine only” certification test for ATVs, as opposed to the chassis dynamometer test for ORMs, with comparable standards measured in grams per kilowatt-hour. In California, “specialty/utility” vehicles must certify to the off-road large spark-ignition (LSI) standards. These vehicles are similar to golf carts, with bench seats and steering wheels, but have rear cargo areas with carrying capacities of several hundred pounds. However, there is a provision in the federal regulations allowing specialty/utility vehicles to certify under the ATV standards. Although the ATV and LSI standards in California are somewhat similar at present, staff is evaluating more stringent LSI standards. Therefore, harmonizing with the federal provision poses a potential loss of emission reductions in the future.

Table 4. ATV vs. LSI Standards – Engine Dynamometer Test
(grams per kilowatt-hour)

Vehicle Type / Displacement	HC	HC+NO _x	CO
ATV: California: ≥ 225 cc	—	13.4	400
ATV: Federal: ≥ 225 cc	—	13.4	400
LSI: < 1-liter	—	12.0	549

Riding Seasons

When the riding seasons were first determined in 1998, ozone readings from monitoring stations were analyzed over the three-year period of 1995-1997. Staff has reviewed more recent ozone data (2002-2004) and will propose minor changes to the riding seasons based on these data. Staff has also discussed enforcement concerns with the land agencies that have jurisdiction over these lands. In cases where riding areas with different riding seasons border with one another or there are trails that connect the two, staff will propose minor changes that make the riding seasons more uniform. An example of neighboring riding areas would be the Hungry Valley State Vehicular Recreation Area and Alamo Mountain, in the Mount Pinos Ranger District. The effect of this will be to increase riding opportunities slightly, and simplify matters for off-highway enthusiasts and land-use managers.

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All Interested Parties

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Workshop

The workshop will be held at the following time and location:

Date: March 23, 2006
Time: 9:00 a.m. to 3:00 p.m.
Location: Air Resources Board – Annex 4 Auditorium
9530 Telstar Avenue
El Monte, California 91731

Workshop Materials

Workshop presentations and handout will be available at the workshop and on the Off-Road Recreational Vehicles website at:
<http://www.arb.ca.gov/msprog/offroad/orrec/orrec.htm> . If you would like to receive notification by email of updates to the Off-Road Recreational Vehicles website, please sign up at <http://www.arb.ca.gov/listserv/orrec.htm> .

If you have a disability-related accommodation need, please go to <http://www.arb.ca.gov/html/ada/ada.htm> for assistance or contact the ADA Coordinator at (916) 323-4916. If you are a person who needs assistance in a language other than English, please go to <http://www.arb.ca.gov/as/eeo/languageaccess.htm> or contact the Bilingual Coordinator at (916) 324-5049.

We welcome your participation. If you have general questions regarding either the workshop or the proposed OHRV rulemaking, or you cannot attend and would like to provide comments, please contact Mr. Andrew Spencer, Air Pollution Specialist at (626) 575-6675 or aspencer@arb.ca.gov, or Mr. Scott Rowland, Manager at (626) 575-6676 or srowland@arb.ca.gov. For questions or comments regarding the development of California's new evaporative emission standards for ORMs and ATVs, please contact Mr. Pippin Mader, Air Resources Engineer at (916) 322-8930 or pmader@arb.ca.gov, or Mr. James Watson, Manager at (916) 327-1282 jwatson@arb.ca.gov.

Sincerely,
/s/

Robert H. Cross, Chief
Mobile Source Control Division

cc: See next page

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cc: Mr. Tom Cackette
Chief Deputy Executive Officer

Mr. William Loscutoff, Division Chief
Monitoring and Laboratory Division

Mr. Michael W. Carter, Chief
Emission Research and Regulatory Development Branch

Mr. Manjit Ahuja, Chief
Stationary Source Testing Branch

Mr. Scott Rowland, Manager
Off-Road Controls Section

Mr. Andrew Spencer, Air Pollution Specialist
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